

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                          |   |                           |
|--------------------------|---|---------------------------|
|                          | ) |                           |
| UNITED STATES OF AMERICA | ) |                           |
|                          | ) |                           |
| v.                       | ) | Criminal No. 04-10309-GAO |
|                          | ) |                           |
| KURBY DUMORNAY           | ) |                           |
|                          | ) |                           |

ASSENTED-TO MOTION TO CONTINUE HEARING ON DISCOVERY MOTION

The government respectfully request a continuance of the hearing on defendant's discovery motion. As grounds for this motion, the government states that AUSA Connolly was late in responding to the defendant's request for discovery. As a result, the government did not afford the defendant sufficient time to prepare a discovery motion in advance of the hearing. The parties therefore request a continuance to a date on or after June 13, 2005.

In addition, for the above-stated reasons, the parties respectfully request that the time commencing on May 16, 2005 and concluding on the date set for the hearing be excluded pursuant to 18 U.S.C. §3161(h)(8)(A).

MICHAEL J. SULLIVAN  
United States Attorney,  
By:

KURBY DUMORNAY  
By His Attorney,

/s/ William H. Connolly  
WILLIAM H. CONNOLLY  
Assistant U.S. Attorney

/s/ William McCauley  
WILLIAM M. MCCAULEY

DATE: MAY 16, 2005